

**Posted – December 2, 2009**

**REGULAR MEETING DECEMBER 7, 2009**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, December 7, 2009 at 7:00 P.M. (EXECUTIVE SESSION – 6:00 P.M.) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

**EXECUTIVE SESSION**

**Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2) litigation (Environment Rhode Island vs. Town of Middletown), litigation (RIDEM vs. Town of Middletown), litigation (East Main Road – Plat 118, Lot 31), (5) lease (East Main Road – Plat**

**118, Lot 31), (5) lease (Joel Peckham School) and (5) land acquisition.**

## **ACTING AS A BOARD OF LICENSE COMMISSION**

**1. Application of Aquidneck Health, LLC, 66 Valley Road holder of a Class BL Alcoholic Beverage License to TRANSFER said license to McGrath Clambakes, Inc. for use at the same premises. (Requires Advertising for Public Hearing)**

**2. (Public Hearing Advertised)**

**Application of Robert Sanches dba The Briarwood, 93 Aquidneck Avenue for RENEWAL of a Class C Liquor License for the 2009-2010 licensing year.**

**3. (Public Hearing Advertised)**

**Application of Robert Sanches dba The Briarwood, 93 Aquidneck Avenue holder of a Class C Alcoholic Beverage License to TRANSFER said license to The Briarwood, LLC dba The Briarwood Lounge for use at the same premises.**

## **CONSENT CALENDAR**

**1. Approval of Minutes – Regular Meeting, November 16, 2009.**

- 2. Memorandum of Luly E. Massaro, Commission Clerk, re: Procedural Schedule for Docket No. 4128 – City of Newport Water Division – Cost of Service Study/Rate Design.**
- 3. Memorandum of Acting Tax Assessor, with enclosures, re: Cancellation of taxes for certain Middletown taxpayers.**
- 4. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.**
- 5. Memorandum of Town Administrator, re: Unreserved Fund Balance Designation – UV Storm water Treatment System.**
- 6. Resolution of the Council, re: Approving removal of Unreserved Fund Balance for UV/Storm water Treatment.**
- 7. Communication of Mason Hawes, Chairperson, Open Space and Fields Committee, re: Requesting removal of Town billboards.**

## **TOWN COUNCIL**

- 1. Communication of Jordan Glenning, Everett Collins, Jarrett Collins, Justin Watkins, Kristin Synnott, Sarah Black, Maggie Kerins, Lucas**

**Christian, Gaudet Middletown School Robotic Team, re: Presentation of research on reducing summer tourist traffic.**

**2. Memorandum of Councillor Santos, re: Food Drive.**

**3. Communication of Cheryl Foster, 18 Gunning Court, re: Food Stamp Program.**

**4. Communication of Peter Gallipeau, Middletown, re: Barker Burial Ground.**

**5. Memorandum of Board of Directors by Sara Gill, President, Easton's Point Association, re: Proposed Ordinance Regarding Wind Turbines.**

**6. Memorandum of Council President Semonelli, re: Wind Turbine Workshop.**

**7. Memorandum of Arthur S. Weber, Jr., Chairman, Middletown Planning Board, with enclosure, re: Proposed Zoning Ordinance amendment - Wind Energy Conversion Facilities. (Requires Advertising for Public Hearing)**

**8. Memorandum of Vice Chairman Cambra, re: Wind Turbine Moratorium.**

**9. Resolution of the Council, re: Wind Turbine Moratorium.**

**10. Memorandum of Town Administrator, with enclosures, re: Award of Contract for Recreation Facilities & Open Space Master Plan.**

**11. Resolution of the Council, re: Award of Contract for Recreation Facilities & Open Space Master Plan.**

**12. Memorandum of Town Administrator, with enclosures, re: Staffing for Adequate Fire and Emergency Response (SAFER) Grant.**

**13. Resolution of the Council, re: Authorizing submission of (SAFER) Grant application.**

**14. Memorandum of Town Administrator, with enclosures, re: Snow & Ice Operations.**

**15. Resolution of the Council, re: Authorizing Town Administrator to implement efficiencies – DPW purchases.**

**16. Memorandum of Town Administrator, with enclosures, re: Request from Aquidneck Island School/Municipal Advisory Group.**

**17. Resolution of the Council, re: Allocating funds to support a study regarding educational benefits of regionalization.**

**18. (Continued from Regular Meeting, November 2, 2009)**

**Communication of Kevin and Jackie Zahm, 17 Reardon Drive, re: Requesting Town to abandon or remove improvements of a small section of Reardon Drive. (Administration requests to continue said matter to January 4, 2010 regular meeting of the Council)**

**19. Appointment of one (1) member to the Substance Abuse Task Force to complete a term expiring March 2011.**

**20. Appointment of one (1) member to the Personnel Board for a term expiring December 2012.**

## **PUBLIC FORUM SESSION**

**Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

**Wendy J. W. Marshall, CMC**  
**Clerk**

**Town**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.**